

1982 WL 189269 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 27, 1982

*1 George A. Wood
Town Manager
Town of Kingstree
Post Office Box 207
Kingstree, South Carolina 29556

Dear Mr. Wood:

In a letter to this office you questioned who is responsible for seeing that bench warrants are issued and served when defendants, properly summoned, fail to appear in court, pay a levied fine, or serve an imposed sentence.

A bench warrant is a form of process issued by a court itself from the bench to bring about the attachment or arrest of a person. It is used to bring a person back before a court after the court has already acquired jurisdiction over a person pursuant to a previously served charging paper. Therefore, it is the obligation of the court to see that such warrants are issued whenever authorized. I am also enclosing a copy of an Order of the Chief Justice dated November 18, 1980 dealing with the endorsement of bench warrants.

If there is anything further, please advise.

Sincerely,

Charles H. Richardson
Assistant Attorney General

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